

IN The United States District Court  
For the District of Montana  
Billings Division  
**SCANNED**

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JUN 11 2008

CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS, MONTANA

Jason Edward Lorenz  
Petitioner,

VS.

The State of Montana  
Respondent.

) Cause NO. CV07-87-BLG-RFC-C50  
CV07-87-BLG-RFC-C50

) Motion to Incorporate  
Affidavits as Supporting  
Evidence

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JUN 27 2008

CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS, MONTANA

On April 4, 2008, the petitioner was ordered, by the court, to submit Affidavits or other evidence to support his claim that he is not a biological relative of the victim and that he has no form of parent-child relationship with the victim. Mont. Code Ann.

§ 45-5-507(a) 2003.

On May 15, 2008, the petitioner filed a signed and notarized Affidavit from his father, DuWayne Lorenz Aff. (doc. 13) at 1.

Following are two(2) affidavits signed and notarized by the petitioner's brother; Daniel Lorenz and mother; Virginia Tally; marked as exhibit (A) and (B), which are to support the petitioner's claim, mention above, and to support "his constitutional claim with a colorable showing of factual innocence" Kuhlmann v. Wilson, 477 U.S. 454 (1986)

Page 1 of 3a

Deadline to enter all Supporting Affidavits and/or other evidence, is set, by the Courts ON OR BEFORE JUNE 13, 2008.

ON OR BEFORE JUNE 13, 2008.  
This motion has been filed in a timely manner,  
ON OR BEFORE JUNE 13, 2008.

Therefore, the Petitioner, in above case, ask that the Court Grant said Motion to Incorporate affidavits as supporting evidence into the case file CV 07-87-BLG-RFC-C50.

## Verification

State of Montana, )  
County of Dawson; )  
ss

I, the petitioner above named, being duly sworn states, as follows:

I have read the foregoing petition to incorporate affidavits as Supporting Evidence, and know the contents thereof, and same is true to my own knowledge, information and belief.



1<sup>st</sup> day of June 2008  
DAVE BALL  
NOTARY PUBLIC for the State of Montana  
at Deer Lodge, Montana  
Notary Expires April 01, 2011

Jason E. Loewy  
Petitioner.

Subsc*ribe and Swear to me this 3<sup>rd</sup> day of  
June, 2008, by JASON E. LORENZ*

# Certificate of Service

This is to certify that a true and correct copy of the foregoing Motion to Incorporate affidavits as supporting Evidence was sent by U.S. Mail to the following on June 26, 2008.

Michael S. Wallenstein  
Assistant Attorney General  
215 North Sanders  
P.O. 201401  
Helena MT 59620-1401  
Attorney for Respondent

U.S. District Court  
Clerk of Court  
316 N. 26th St.  
Room #5405  
Billings, MT 59101